

**CHARTER COMMISSION  
CITY AND COUNTY OF HONOLULU  
711 Kapiolani Blvd. Suite 1485  
Honolulu, Hawaii 96813**



**A G E N D A**

**FRIDAY, AUGUST 25, 2006  
COMMITTEE ON SUBMISSION AND INFORMATION MEETING**

**CITY COUNCIL COMMITTEE ROOM  
SECOND FLOOR  
CITY HALL**

**4:00 P.M.**

**1. Call to Order by Committee Chair Jan Sullivan**

**2. For Approval - Minutes**

Minutes from July 20, 2006. Copies of the draft minutes are available for review at the Charter Commission office and are posted on the Charter Commission's website at <http://www.honolulu.gov/chc/minutes.htm>

**3. Executive Administrator's Report**

Report and discussion regarding, among other matters:

- Recent publicity efforts
- Text and ballot questions by the Style Committee
- Upcoming scheduling

**4. Public Information Program**

**FOR DISCUSSION AND ACTION:**

Review, discussion, possible revision to public information program (copy attached as **Attachment #1**), including:

- Digest/Notice for publication in September (language, format)

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CITY CLERK  
HONOLULU, HAWAII

- Brochure (language, format)
- Full text and translations
- Speaking engagements (scheduling, content/format of presentations)
- TV and radio ads
- Press releases or other print opportunities
- Sample ballot or other newspaper ads
- Website
- Other ideas

## 5. Review of Bids

### **FOR DISCUSSION AND ACTION:**

Review of bids and responses to RFPs for printing, mailing, and media consulting. The Committee will discuss and vote to select vendors.

## 6. Language and Format of Digests/Brochure

### **FOR DISCUSSION AND ACTION:**

Review, revision, and approval of digests and introductory text to be used in the newspaper advertisement and brochure. See **Attachment #2** for draft language.

## 7. Announcements

## 8. Next Meeting

To be determined.

## 9. Adjournment

### **Notice regarding public testimony:**

Please note that under the Rules of the Commission, speakers are requested to submit two copies of their testimony. Written testimony may be mailed to the Commission, faxed to 592-8633, or e-mailed to [charter@honolulu.gov](mailto:charter@honolulu.gov). The Commission requests that written testimony be submitted no later than 24 hours prior to the meeting; however, if you bring written testimony directly to the meeting, the Commission requests that you bring **20 copies, three-hole punched**. Testimony will be accepted on agenda items only, and will be taken at the time the item comes up for discussion by the Commission.

You are requested to register to speak if you wish to provide oral testimony. Generally, oral testimony will be limited to **five minutes**. However, a speaker's time may be limited to **three minutes** if, in the discretion of the chair, such limitation is necessary to accommodate all persons desiring to address the Commission at the meeting.

# **ATTACHMENT #1**

SUBMISSION & INFORMATION COMMITTEE 8/25/06

## **PUBLIC EDUCATION PLAN**

Approved by Submission & Information Committee on 7/20/06

### **SEPTEMBER**

(Sept 1 – Final ballot language to City Clerk)

(Sept 23 – Primary Election)

- Prepare brochure and newspaper advertisements
- Prepare radio/TV advertisements
- Schedule presentations to organizations, talk shows
- Press releases
- Public service announcements
- Updated website
- By Sept 23 - Publish digest/notice in both major daily newspapers (required by Charter)
- By Sept 23 - Publish digest/notice in Chinese, Japanese, Ilocano newspapers

### **OCTOBER**

(Early October – Clerk mails absentee ballots)

(Oct 24-Nov 4 – Walk-in absentee voting)

- Presentations to Neighborhood boards, organization meetings
- Appearances on talk shows (radio, TV)
- Sample ballot?
- Press releases
- Public service announcements
- Website
- Mid-October - Bulk mailing of brochure to all voting households
- Mid-October - TV, radio, newspaper ads

### **NOVEMBER**

(Nov 7 – General Election)

## **ATTACHMENT #2**

SUBMISSION & INFORMATION COMMITTEE 8/25/06

**In this attachment:**

- (1) Draft digest language
- (2) Draft introductory text

*Note: This draft language was prepared by staff as a starting point for discussion.*

### **DRAFT DIGEST LANGUAGE**

#### **PROPOSAL 1 – Salary Commission**

##### VERSION 1

*Present:* The City Council has the power to reject the Salary Commission's recommendations as to the salaries of elected officials and certain high-ranking City employees.

*If proposal passes:*

- The City Council would no longer have the power to reject the Salary Commission's recommendations.
- The Salary Commission's recommendations would take effect automatically.

##### VERSION 2

*Present:* The Salary Commission establishes salaries for all City elected officials and various appointed officials. The Salary Commission's decisions on salaries may be rejected by a three-quarters vote of the City Council.

*If proposal passes:*

- The Salary Commission's decisions on salaries and salary schedules would be final.
- The City Council would not be able to reject the Salary Commission's decisions.

## **PROPOSAL 5 - Elections**

### VERSION 1

*Present:* All City elections, even those involving two candidates only, are held during the Primary Election.

*If proposal passes:*

- In any City Election in which there are only two candidates for a position, the election would be held on General Election day, rather than on Primary Election day.

### VERSION 2

*Present:* When there are only two candidates for any city elective office, those candidates appear on the ballot for the first special election (Primary Election in September). The candidate who receives a majority of the votes is deemed elected, and therefore the election is decided at the Primary Election.

*If proposal passes:*

- When there are only two candidates for any city elective office, those candidates would not appear on the ballot at the first special election, but instead they would be placed on the ballot for the second special election (General Election in November). Therefore, the election would be decided at the General Election.

## **PROPOSAL 27 – Liquor Administrator**

### VERSION 1

*Present:* The positions of Liquor Administrator and Deputy Liquor Administrator are civil service positions.

*If proposal passes:*

- The Liquor Administrator, Deputy Liquor Administrator and a secretary would be exempt from civil service provisions.
- The Liquor Commission would have the power to appoint and remove the Liquor Administrator.
- The Liquor Administrator would have the power to appoint and remove the Deputy Liquor Administrator and a secretary.

### VERSION 2

*Present:* The Liquor Commission is responsible for enforcing liquor laws in the City & County of Honolulu. The Liquor Commission staff is headed by the Liquor Administrator and Deputy Administrator. The Liquor Administrator and Deputy Administrator are civil service positions.

*If proposal passes:*

- The Liquor Administrator, Deputy Liquor Administrator, and a secretary would be exempt from civil service provisions.
- The Liquor Administrator would be appointed and may be removed by the Liquor Commission.
- The Deputy Liquor Administrator and secretary would be appointed and may be removed by the Liquor Administrator.

## **PROPOSAL 28 – Ethics Commission fines**

### VERSION 1

*Present:* The Ethics Commission can make recommendations for disciplinary action against elected officers, but cannot impose fines or other discipline.

*If proposal passes:*

- Ethics Commission would have the power to impose civil monetary fines against elected officers of the City.
- Fines would be established by ordinance.

### VERSION 2

*Present:* The Ethics Commission holds hearings, conducts investigations, renders advisory opinions, and recommends disciplinary action for violations of ethics laws by City officers and employees. The Ethics Commission does not have the authority to impose fines for ethics violations.

*If proposal passes:*

- The Ethics Commission would have the authority to impose fines on elected officers for ethics violations.
- The fines would be determined by ordinance.

## **PROPOSALS 33 AND 36 – Emergency Services and Fire**

### **VERSION 1**

*Present:* The powers, duties, and functions of the director of emergency services and the fire chief are set forth in the Charter, but do not specify certain powers, duties, and functions relating to emergency medical services, ocean safety, hazardous materials, and injury prevention.

*If proposal passes:*

- The powers, duties, and functions of the director of emergency services would specify that the director shall be the primary provider of emergency medical care, that the director would develop programs related to injury prevention, provide for ocean safety programs, and be the primary responder to emergencies arising on the beach and near shore waters.
- The powers, duties, and functions of the fire chief would specify that the fire chief shall also provide emergency medical care and specify that the fire chief shall respond to emergencies arising on hazardous terrain, on the sea, and hazardous material incidents.

### **VERSION 2**

*Present:* The director of the Department of Emergency Services is responsible for emergency medical services, training and educational related to emergency services, and ocean safety training and operations in city parks. The Fire Chief is responsible for fire fighting and rescue work, training and supervising fire fighting and rescue personnel, monitoring building standards for fire prevention, and providing fire prevention education.

*If proposal passes:*

- The charter would reflect the additional functions currently being provided by these departments.
- The additional powers, duties, and functions of the director of the Department of Emergency Services would include serving as the primary provider of emergency care; serving as the primary responder to emergencies on the beach and in near shore waters; and being responsible for medical matters relating to public health and welfare.
- The additional powers, duties, and functions of the Fire Chief would include responding to emergencies on hazardous terrain and on the sea; responding to hazardous material incidents; and providing emergency medical care.



## **PROPOSAL 34 – Capital budget funds**

### **VERSION 1**

*Present:* Capital budget appropriations shall be considered valid only for the fiscal year for which made and for six months thereafter.

*If proposal passes:*

- Capital budget appropriations would be considered valid for the fiscal year for which made and for 12 months thereafter.
- There would be an additional six months given before appropriations for capital improvements would lapse.

### **VERSION 2**

*Present:* The capital budget includes appropriations for constructing public improvements, acquiring land, and carrying out planning and engineering studies. Appropriations authorized in the capital budget may be spent during that fiscal year and for 6 months thereafter.

*If proposal passes:*

- The time would be extended, so that money appropriated in the capital budget may be spent during the fiscal year and for 12 months thereafter.

## **PROPOSAL 55 – Staggering and Term Limits**

### **VERSION 1**

*Present:* City Council members are limited to two consecutive four-year terms. A Council member may serve more than two terms if the member “sits out” a term. Council terms are currently “staggered” – for example, five of the nine Council seats were up for election in 2004 and again in 2008, and four were up for election in 2002 and again in 2006. Council districts are scheduled for reapportionment every ten years, next in 2011. After reapportionment, council districts will change, which could leave some voters represented by a Council member they did not elect.

*If proposal passes:*

- The current system of staggered terms and term limits would be replaced by the alternative that receives the most votes, either (A) no staggering and no term limits; or (B) no staggering and a three term, rather than the current two term limit.

### **VERSION 2**

#### **QUESTION 1**

*Present:* The City Council consists of nine members who are elected to four-year terms. Councilmembers are currently limited to two consecutive four-year terms. Councilmembers’ terms are also staggered, so that half of the seats are elected in one election, and the other half are elected in the next election two years later.

*If proposal passes:*

- The current system of term limits and staggering would be changed.
- The new system would be determined by the result of the vote on the next question.

#### **QUESTION 2**

*NOTE:* Whether you voted “yes” or “no” on the previous question, you may still cast a vote on this question. If the previous question passes, then the new system will be determined by the result of the vote on this question. If the previous question does NOT pass, then the result of the vote on this question will not take effect.

*Present:* City Council members are currently limited to two consecutive four-year terms. Councilmembers’ terms are staggered, so that half of the seats are elected in one election, and the other half are elected in the next election two years later.

*If ALTERNATIVE A is selected:*

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Term limits would be eliminated; Councilmembers may be re-elected without limit on number of terms served.

*If ALTERNATIVE B is selected:*

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Term limits would be extended, so that Councilmembers may serve up to three consecutive four-year terms.
- Terms already served would not count toward the limit, so current incumbents would be eligible for an additional three consecutive four-year terms.

## **PROPOSAL 71 – Curbside recycling**

### **VERSION 1**

*Present:* The powers, duties, and functions of the director of environmental services include the development and administration of solid waste collection, processing, and disposal systems but do not specifically include curbside recycling.

*If proposal passes:*

- Development and administration of a comprehensive curbside recycling system would become part of the director of environmental services' powers, duties and functions in the City Charter.

### **VERSION 2**

*Present:* The director of the Department of Environmental Services is responsible for wastewater facilities, sewer lines, solid waste, and other duties.

*If proposal passes:*

- The powers, duties, and functions of the director of the Department of Environmental Services would also include developing and administering a comprehensive curbside recycling system.

## **PROPOSAL 91 – Funds for conservation and affordable housing**

### VERSION 1

*Present:* There are no specially dedicated funds for acquisition of public lands for land conservation or for providing and maintaining affordable housing.

*If proposal passes:*

- A minimum of one percent of real property tax revenues would be placed in two special funds; one fund would be known as the “Clean Water and Natural Lands Fund” and the other would be known as the “Affordable Housing Fund.”
- Moneys in the “Clean Water and Natural Lands Fund” would be used to purchase or acquire real estate for land conservation.
- Moneys in the “Affordable Housing Fund” would be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city.
- Moneys in the funds would not lapse, but shall remain in the funds, accumulating from year to year.

### VERSION 2

*Present:* Currently there are no similar provisions in the charter.

*If proposal passes:*

- In each fiscal year’s budget, the City Council would set aside 1% of estimated real property taxes, half of which will be put into a Clean Water and Natural Lands Fund, and the other half into an Affordable Housing Fund.
- The Clean Water and Natural Lands Fund would be used to purchase or acquire real estate for land conservation
- The Affordable Housing Fund would be used to provide and maintain affordable housing for people earning less than 50% of median household income.
- Any balance in the funds would not lapse, but remain in the funds, accumulating from year to year.

## **PROPOSAL S-9**

### **VERSION 1**

*Present:* The definition of the powers, duties, and functions of the director of transportation services do not specifically include reference to bikeways and do not specifically set forth this as one of the priorities.

*If proposal passes:*

- The powers, duties, and functions of the director of transportation services as set forth in the charter would specifically include reference to “bikeway” systems.
- A new section would be added to the charter setting forth that it shall be one of the priorities of the director of transportation services to make Honolulu a pedestrian- and bicycle-friendly city.

### **VERSION 2**

*Present:* The director of the Department of Transportation Services is responsible for transportation systems, public transit, traffic control facilities and devices, traffic safety programs, and other duties.

*If proposal passes:*

- The powers, duties, and functions of the Department of Transportation Services would also include bikeways.
- The charter would state that it shall be one of the priorities of the Department of Transportation Services to make Honolulu a pedestrian- and bicycle-friendly city.

## HOUSEKEEPING

This ballot question combines seven “housekeeping” items. If the proposal passes:

- (a) Language regarding the Department of Information Technology would be modernized to use terms such as “information technology” and “telecommunications” instead of “data processing.”
- (b) To correct an inadvertent omission, the director of the Department of Customer Services will be included in the list of department heads to be appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor.
- (c) To conform to legal requirements, the charter would include a reference to the Hawaii State Constitution prohibition on Ethics Commission members from taking an active part in political campaigns.
- (d) To conform to a court decision, the unconstitutional prohibition on political campaign by Police Department employees would be deleted from the charter.
- (e) To correct an inadvertent addition, the Civil Defense administrator would be deleted from the list of department heads who are appointed by the Mayor with the advice and consent of the council and may be removed by the Mayor.
- (f) To conform to federal law, the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments would be deleted.
- (g) Public notices would be required to be distributed via electronic medium (such as the Internet), in addition to the current requirement of publication in a newspaper of general circulation.

## **DRAFT INTRODUCTORY TEXT**

*To be printed in the brochure; similar language could be included at the top of the newspaper advertisement.*

### VERSION 1

The City Charter is the “constitution” of the City & County of Honolulu. The Charter determines the basic structure of the city's departments and agencies, legislative and budget processes, elections, and many other foundations of city government.

The Charter requires that the Mayor and City Council appoint a Commission every ten years to review the Charter and submit changes to the voters.

The 2005-2006 Charter Commission has held more than 25 public meetings and received extensive testimony. After studying many proposals, eleven proposed charter amendments were selected to present to the voters at the General Election on November 7, 2006.

This booklet provides brief explanations of each proposal – the ballot question, the present situation, and what the proposed amendment would accomplish.

For more information, please contact the Charter Commission at 592-8622 or [charter@honolulu.gov](mailto:charter@honolulu.gov). Visit the Charter Commission’s website at <http://www.honolulu.gov/chc>.

Please take a moment to read this booklet and decide how you will vote on each proposal. Honolulu’s future depends on it!

2005-2006 Charter Commission  
(list of Commissioners and staff)



VERSION 2 (with headers)

**Honolulu's City Charter**

The City Charter is Honolulu's "constitution," laying out the rules by which our City government operates. The charter requires that the Mayor and City Council appoint a Commission every ten years to review the Charter and submit changes to the voters.

The 2005-2006 Charter Commission held more than 25 public meetings and received extensive testimony on changes to the Charter. After studying many proposals, eleven proposed charter amendments were selected to present to the voters at the General Election.

**Vote on the Charter Amendments**

We urge you to help shape the future of our City by voting on these proposed charter amendments at the General Election on November 7, 2006.

This booklet provides brief explanations of each proposed charter amendment. To prepare for Election Day, please take a moment to read this booklet and decide how you will vote on each proposal.

**For More Information**

Contact the Charter Commission at 592-8622 or [charter@honolulu.gov](mailto:charter@honolulu.gov) or visit the Charter Commission website at <http://www.honolulu.gov/chc>.

Mahalo for helping to shape the future of Honolulu!

2005-2006 Charter Commission  
(list of Commissioners and staff)

VERSION 3 (letter style)

Dear Honolulu Voter,

We urge you to help shape the future of our City by voting on proposed amendments to the City Charter at the General Election on November 7, 2006.

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